

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.11726 of 2015

K.Velmayil

... Petitioner

Versus

1. The Registrar
Anna University Chennai-25.
 2. The Commissioner
Director of Technical Education Chennai - 25.
 3. The Principal
T.S.M. Jain college of Technology melur
village & Post Kallakurichi Taluk
Villupuram District.
 4. The Correspondent
T.S.M. Jain college of Technology melur
village & Post Kallakurichi Taluk
Villupuram District.
- ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st and 2nd Respondents to take action against the 3rd and 4th respondent based on the representation dated 20/03/2015 and 01/04/2015 sent by the petitioner and subsequently directing the 3rd and 4th Respondents to return all the original certificates to the Petitioner within a reasonable period may be fixed by this Honble court.

For Petitioner : Mr.P.Rajavel

For Respondents : Mr.M.Vijayakumar (for R1)
Mr.S.Pattabiraman (for R2)
Government Advocate

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that he has completed Diploma in Civil Engineering in the year 2011-2012 and thereafter laterally entered the 3rd and 4th respondent College in the Academic Year 2012-2013 under the Management Quota and also paid the necessary admission fees and deposited the original certificates. The petitioner on account of the family circumstances, could not continue B.E. (Civil Engineering) Course in the 3rd and 4th respondent College and in search of his livelihood decided to go to abroad for getting employment and in this regard, he submitted a representation dated 20.03.2015 to the 1st respondent with copies marked to other respondents and though, the said representation was acknowledged, he has not been favoured with any response and hence, came forward to file this writ petition.

3. Heard the submissions of Mr.P.Rajavel, learned counsel appearing for the petitioner, Mr.M.Vijayakumar, learned standing counsel, who accepts notice for the 1st respondent and Mr.S.Pattabiraman, learned Government Advocate, who accepts notice for the 2nd respondent.

4. Learned standing counsel for the 1st respondent would submit that the 1st respondent in turn vide letter dated 28.03.2015 has directed the 3rd respondent to act on the representation submitted by the petitioner and also invited the attention of this Court to the order dated 16.02.2015 made in W.P.Nos.3828 to 3830 of 2015 and would submit that in the light of the said order, appropriate orders may be passed.

5. This Court has carefully considered the rival submissions and also perused the materials placed before it.

6. It is relevant to extract paragraph Nos.3 and 4 of the above said order, which reads as follows:

"3. Learned counsel appearing for the second respondent submitted that the relief sought for by the petitioners in these writ petitions, is covered by the order passed by this Court dated 23.09.2010 in W.P.Nos.12213 to 12215 of 2010, wherein the following direction has been issued:

"2. Mr.S.Udayakumar, learned counsel appearing for the second respondent states that

all the records relevant to the students have been returned and they should be directed to pay any fee that is due and payable.

3. The learned counsel for the petitioners fairly states that the petitioners have stated in the affidavit that they are willing to pay any amount that is legally due from them.

4. Recording the said submission, these writ petitions are disposed of. No costs.

4. In the light of the above, following the above mentioned direction, there will be a direction to the second respondent to return the certificates to the petitioners subject to the condition that the petitioners shall pay all the amounts, which are legally due and payable by them."

7. In the considered opinion of this Court, the above said order is squarely applicable to the facts of this case and in the result, the writ petition is disposed of and the respondents 3 and 4 are directed to return the original testimonials / certificates, subject to the condition that the petitioner shall pay all the amounts, which are legally due and payable by him as per the legal entitlement of the College, within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

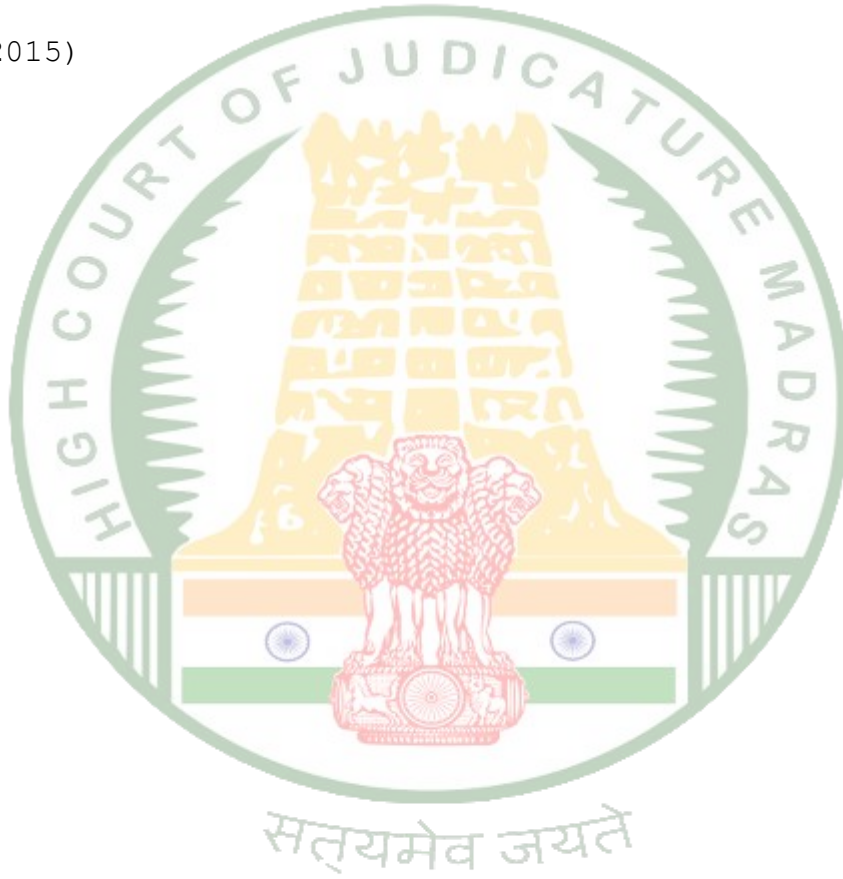
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+1cc to Mr.P.Rajavel, Advocate, S.R.No.22049
+1cc to Mr.M.Vijayakumar, Advocate, S.R.No.21840

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AK(CO)
CA(19/05/2015)



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